

SENATE BILL REPORT

SHB 1287

As Reported By Senate Committee On:
Human Services & Corrections, March 27, 2007
Ways & Means, April 2, 2007

Title: An act relating to compliance with the federal safe and timely interstate placement of foster children.

Brief Description: Modifying foster children placement provisions.

Sponsors: House Committee on Early Learning & Children's Services (originally sponsored by Representatives Kagi, Hinkle, Walsh, Haler, Appleton, Simpson, Moeller and Kenney; by request of Department of Social and Health Services).

Brief History: Passed House: 3/06/07, 96-0.

Committee Activity: Human Services & Corrections: 3/22/07, 3/27/07 [DPA].
Ways & Means: 4/02/07 [DPA(HSC)].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Marr and McAuliffe.

Staff: Indu Thomas (786-7459)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended by Committee on Human Services & Corrections.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Carrell, Fairley, Hatfield, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Parlette, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Tom.

Staff: Paula Moore (786-7449)

Background: The Safe and Timely Interstate Placement of Foster Children Act of 2006 was signed into law in July of 2006. This federal law amends Titles IV-B and IV-E of the Social Security Act. Under the law, state courts are required to ensure that foster parents, pre-adoptive parents, and relative care givers are given the right to be heard at hearings regarding the children in their care. The Federal Act also addresses the consideration and timeliness of

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interstate placements and the health and education records of foster children. Pursuant to current state law, foster parents, pre-adoptive parents, and relative care givers are entitled to notice of proceedings with respect to the children in their care and are provided with an opportunity to be heard. The state is required to place the child in the least restrictive setting appropriate to the child's need and give preference to placement with the child's relatives. Health and education records should be included to the extent that they are available.

Summary of Substitute Bill: Immediately following the shelter care hearing, the court is required to enter an order: (1) authorizing the Department of Social and Health Services (DSHS) to obtain the child's most recent health and educational records; and (2) authorizing DSHS to manage enrollment and other school-related processes and services on behalf of children in the care of DSHS. Notice that such orders will be entered must be included in the standard notice regarding the shelter care hearing sent to the child's parents.

Foster parents, pre-adoptive parents, and other care givers of children in the custody of the DSHS must be notified prior to each proceeding of their right to be heard in each proceeding under the state's dependency statutes relating to children in their care. The dependency review hearings for children in DSHS custody must establish in writing whether both in-state and out-of-state placement options have been considered for the child.

EFFECT OF CHANGES MADE BY RECOMMENDED AMENDMENT(S) AS PASSED COMMITTEE (Human Services & Corrections): The amended bill adds a requirement that care-providers sign written confidentiality agreements and incorporates an effective date of July 1, 2007.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony (Human Services & Corrections): PRO: This bill brings the state into compliance with recently passed federal law. Federal legislation provided for extensions through July 1, 2007. School changes should be limited to the greatest extent possible. There is currently considerable attention to limiting school changes.

Persons Testifying (Human Services & Corrections): PRO: Ross Dawson, Children's Administration, DSHS; Andrew Morrison, Washington Defender Association; Laurie Lippold, Children's Home Society.

Staff Summary of Public Testimony (Ways & Means): None.

Persons Testifying (Ways & Means): No one.